

**REMARKS**

Favorable reconsideration and allowance of the claims of the present application are respectfully requested.

Applicants observe that Claims 1-19 were originally filed in this application and because of a previous Restriction Requirement and Applicants' Response dated April 25, 2005 Claims 12-19 have been withdrawn by the Examiner. Thus, Claims 1-11 are presently being prosecuted in this application.

In the present Official Action, the Examiner has indicated that the application contains claims directed to the following alleged patentably distinct species:


- A. material for the OSG dielectric (paragraph 32)
  - A1. non-porous material;
  - A2. porous material; and
  - A3. combination of porous and non-porous.
- B. material for the lower hardmask (paragraph 37)
  - B1. dielectric material of Si, C, O and H; and
  - B2. dielectric material of Si, C, O, H and N.

As indicated, and in order to be fully responsive to the Species Restriction Requirement imposed in the present Official Action, applicants provisionally elect, without traverse, to prosecute the subject matter wherein the OSG dielectric is porous, and a dielectric material comprising Si, C, O and H as the lower hardmask. Applicants respectfully observe that Claim 1 is generic and, as such, reserve their right to have the non-elected species rejoined in the present application if generic Claim 1 is found to be allowable.

Applicants submit that Claims 1-7 and 9-11 read on the elected Species noted above.

Wherefore, reconsideration and allowance of all the claims of the present application are respectfully requested.

Respectfully submitted,



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